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Dkt. 0575/66602-B/JPW/BJA

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Silviu Itescu  
U.S. Serial No. : 10/693,480  
Filed : October 23, 2003  
For : REGENERATION OF ENDOGENOUS MYOCARDIAL  
TISSUE

1185 Ave of the Americas  
New York, New York 10036  
December 29, 2006

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA, 22313-1450

SIR:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

In accordance with his duty of disclosure under 37 C.F.R. §1.56 applicant directs the Examiner's attention to the references which are listed on the attached Form PTO-1449 (**Exhibit A**). Items 1-5 are U.S. Patents or U.S. Patent Application Publications and copies of these references are not attached hereto as permitted by 37 C.F.R. (a)(2)(ii). Copies of items 6-10 are attached hereto as **Exhibits 1-5**. Items 11 and 12 were previously cited by, or submitted to, the U.S. Patent and Trademark Office in connection with the prosecution of U.S. Serial Number 10/128,738, from which the subject application claims benefit under 35 U.S.C. §120. According to 37 C.F.R. §1.98(d), copies of patents or publications that were previously cited by, or submitted to, the U.S. Patent Office in connection with such a prior application need not accompany the Information Disclosure Statement. Accordingly, copies of items 11 and 12 are not attached to this Supplemental Information Disclosure Statement.

1. U.S. Patent No. 5,599,703 issued to Davis et al. on February 4, 1997;

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2. U.S. Patent Application No. 2005-023392 A1, published October 20, 2005;
3. U.S. Patent Application No. 2006-0051334, published March 2006;
4. U.S. Patent Application No. 2006-0057722 published March 2006;
5. U.S. Patent Application No. 2006-0111290 published May 25, 2006;
6. Itescu et al. (2003) "Myocardial neovascularization by adult bone marrow-derived angioblasts: strategies for improvement of cardiomyocyte function" Heart Failure Rev 8: 253-258;
7. Itescu et al. (2003) "New directions in strategies using cell therapy for heart disease" J Mol Med 81: 288-296;
8. Noishiki et al. (1999) "Angiogenic growth factor release system for in vivo tissue engineering: a trial of bone marrow transplantation into ischemic myocardium" J Artif Organs 2: 85-91;
9. Orlic et al. (2001) "Mobilized bone marrow cells repair the infarcted heart, improving function and survival" Proc Natl Acad Sci USA 98(18):10344-10349;
10. Yin et al. (1997) "AC 133, A novel marker for human hematopoietic stem and progenitor cells" Blood 90(12):5002-5012;
11. Supplementary Partial European Search Report issued on October 25, 2004 in connection with E.P. Application No.

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01942041.3.; and

12. Lee et al. (1991) J. Biol. Chem. 266(24) 16188-16192.

This Supplemental Information Disclosure Statement is submitted under 37 C.F.R. §1.97(b).

Applicant requests that the Examiner review the publications and make them of record in the subject application.

If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorney invites the Examiner to telephone him at the number provided below.

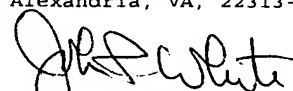
No fee is deemed necessary in connection with the filing of this Supplemental Information Disclosure Statement. However, if any fee is required, authorization is hereby given to charge the amount of such fee to Deposit Account No. 03-3125.

Respectfully submitted,



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I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents  
P.O. Box 1450  
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 12/29/06  
John P. White Date  
Reg. No. 28,678

## **EXHIBIT A**

<b>Form PTO-1449</b> <b>U.S. Department of Commerce</b> <b>Patent and Trademark Office</b> <b>INFORMATION DISCLOSURE STATEMENT</b> (Use several sheets if necessary)	Application Number	10/693,480
	Filing Date	October 23, 2003
	First Named Inventor	Silviu Itescu
	Art Unit	
	Examiner Name	
	Attorney Docket No.	66602-B/JPW/BJA

## U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number-Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		5,599,703 A	02-04-1997	Davis et al.
		2005-023392 A1	10-20-2005	Itescu
		2006-0051334	03-2006	Kornowski
		2006-0057722	03-2006	Kornowski
		2006-0111290	05-25-2006	Itescu

## NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		Itescu et al. (2003) "Myocardial neovascularization by adult bone marrow-derived angioblasts: strategies for improvement of cardiomyocyte function" Heart Failure Rev 8: 253-258	
		Itescu et al. (2003) "New directions in strategies using cell therapy for heart disease" J Mol Med 81: 288-296	
		Noishiki et al. (1999) "Angiogenic growth factor release system for in vivo tissue engineering: a trial of bone marrow transplantation into ischemic myocardium" J Artif Organs 2: 85-91	
		Orlic et al. (2001) "Mobilized bone marrow cells repair the infarcted heart, improving function and survival" Proc Natl Acad Sci USA 98(18):10344-10349	
		Yin et al. (1997) "AC 133, A novel marker for human hematopoietic stem and progenitor cells" Blood 90(12):5002-5012	
		Supplementary Partial European Search Report issued on October 25, 2004 in connection with E.P. Application No. 01942041.3	
		Lee et al. (1991) J. Biol. Chem. 266(24) 16188-16192	

EXAMINER  
SIGNATURE

DATE CONSIDERED

\*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609: Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a checkmark here if English language Translation is attached.

Applicant: Silviu Itescu  
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**Exhibit A**